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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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EDWARD B. EVANS 1936-1971

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September 23, 2005

FACSIMILE COVER SHEET

To: Examiner Kenneth Tang
Art Unit 2195
Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

From: Douglas A. Scholer
Reg. No. 52,197

Re: U.S. Patent Application
Serial No. 09/939,235
Filed: August 24, 2001
Applicant: William Joseph Armstrong et al.
Art Unit: 2195
Confirmation No.: 3405
Our Ref: IBM/209

Fax: 571-273-8300

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Transmittal containing Certificate of Facsimile
Transmission and Authorization to Charge
Deposit Account 23-3000 \$120.00 for one-
Month Extension of Time Fees (2 pages)
Amendment and Response (13 pages)

Pages: 16 (including cover sheet)

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MESSAGE/COMMENTS OFFICIAL

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (16 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Kenneth Tang, Art Unit 2195, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 571-273-8300 on September 23, 2005.

Laura Gokley Koehler 9.23.05

Laura Gokley Koehler Date

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PATENT

Att'y Docket No. IBM/209/124

Confirmation No. 3405

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Laura Gokey Kochler
Laura Gokey Kochler9-23-05
Date**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Armstrong et al.

Art Unit: 2195

Serial No.: 09/939,235

Examiner: Kenneth Tang

Filed : August 24, 2001

For : YIELD ON MULTITHREADED PROCESSORS

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ Enclosed is a verified statement to establish Small Entity status
- ☒ Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	27	minus	32	0	\$50	\$0.00
Independent Claims	4	minus	5	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2
Serial No. 09/939,235
Transmittal for Amendment of September 23, 2005
IBM Docket: ROC920010252US1
W11&E IBM/209
K:\Shen\209\Amendments re 3-23-05 OA Transmittal.epd

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input checked="" type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$ 120.00

Method of Payment: Please Charge Deposit Account 23-3000 in the amount of \$ 120.00

If an additional extension of time is required, please consider this a petition therefor.

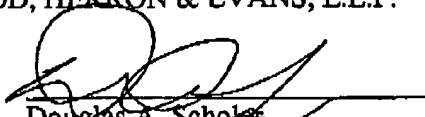
(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.
- OR**
- ☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:


Douglas A. Scholer
Reg. No. 52,197

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
Telephone: (513) 241-2324
Facsimile: (513) 241-6234

Enclosed:

Fax Cover Sheet containing Certificate of Facsimile Transmission (1 page)
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Amendment and Response (13 pages)

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Laura Gokey Koehler 9-23-05
Laura Gokey Koehler Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Joseph Armstrong et al. Art Unit: 2127
Serial No.: 09/939,235 Examiner: Kenneth Tang
Filed: August 24, 2001 Atty. Docket No.: IBM/209
For: YIELD ON MULTITHREADED PROCESSORS

AMENDMENT AND RESPONSE

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated May 23, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.

Page 1 of 13
Serial No. 09/939,235
Amendment and Response dated September 23, 2005
Reply to Office Action of May 23, 2005
IBM Docket ROC920010252US1
WH&E IBM/209
K:\ibm\209\Amendment and Response to 5-23-05 QA vpd